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OFFICE OF PETITIONS

In re Application of	:	
June et al.	:	DECISION ON PETITION
Application No. 09/027,205	:	
Filed: 02/20/1998	:	
Attorney Docket No. 36119-126	:	

This is a decision on the petition under 37 CFR 1.137(b), filed March 21, 2008, to revive the above-identified application.

The above-identified application became abandoned for failure to file a timely response to the nonfinal Office Action, mailed September 16, 2005, which set a three-month shortened statutory period for reply. The above-identified application became abandoned on December 17, 2005. On March 30, 2006, the Office mailed a Notice of Abandonment.

Petitioner has met the requirements to revive the above-identified application pursuant to 37 CFR 1.137(b). Petitioner submitted the required reply, paid the petition fee, and made the proper statement of unintentional delay. Accordingly, the petition is **GRANTED**.

An extension of time under 37 CFR 1.136 must be filed prior to the expiration of the maximum extendable period for reply. See In re Application of S., 8 USPQ2d 1630, 1631 (Comm'r Pats. 1988). Since the \$450.00 extension of time fee was paid after the maximum extendable period for reply, this fee is unnecessary and will be credited to petitioner's deposit account.

This matter is being referred to Technology Center Art Unit 1644.

Telephone inquiries specific to this decision may be directed to the undersigned at (571) 272-3211.

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